

SA:TH
F. #2015R2040

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

16-362 M

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UNITED STATES OF AMERICA

FILED UNDER SEAL

- against -

ZANE SKYERS,

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

(21 U.S.C. § 963)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MICHELLE PANELLA, being duly sworn, deposes and states that she is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about and between October 30, 2015 and November 7, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ZANE SKYERS, together with others, did knowingly and intentionally conspire to import a controlled substance into the United States from a place outside thereof, which offense involved a substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

(Title 21, United States Code, Sections 963)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI") and have been involved in the investigation of numerous cases involving the trafficking of controlled substances, including cocaine. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about November 7, 2015, a co-conspirator ("CC-1") of the defendant's arrived at John F. Kennedy International Airport ("JFK") in Queens, New York aboard JetBlue Flight No. 882 from Saint Lucia. After CC-1's arrival, United States Customs and Border Protection ("CBP") officers selected CC-1 for an enforcement examination. CC-1 presented a black suitcase for inspection. CBP officers probed the suitcase and discovered a white powdery substance which field-tested positive for the presence of cocaine. Law enforcement officers recovered a total approximate gross weight of 1,564 grams of cocaine from the suitcase that CC-1 was carrying.

3. CC-1 was placed under arrest and, after being advised of and waiving his Miranda rights, admitted that he knew the suitcase contained narcotics. CC-1 was charged and has pleaded guilty to the importation of cocaine in violation of Title 21, United States Code, Section 952(a).

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

4. During a search of CC-1's phone, which was seized after CC-1's arrest, law enforcement officers identified text and WhatsApp messages between CC-1 and the defendant ZANE SKYERS indicating SKYERS's involvement in a conspiracy to import narcotics into the United States. These messages indicate that, on or about and between October 30, 2015 and November 7, 2015, CC-1 and the defendant ZANE SKYERS discussed the coordination and arrangement of CC-1's flight and CC-1's coordination, prior to travel, with other co-conspirators located in Saint Lucia. For example, on or about and between October 30, 2015 and November 2, 2015, the defendant sent the following WhatsApp messages to CC-1: "JFK"; "Text mi u info"; "I tell my cousin to have him call you so just wait till you speak to him." On or about November 6, 2015, while CC-1 was in Saint Lucia, the defendant sent the following WhatsApp message to CC-1: "U have anyone to pick u up."

5. On or about November 7, 2015, the defendant ZANE SKYERS and CC-1 exchanged a series of messages indicating that ZANE SKYERS intended to meet CC-1 at JFK after CC-1's arrival. These messages included a description of what CC-1 was wearing on the day of his flight and voice messages from ZANE SKYERS indicating that he was on his way to pick up CC-1 at JFK.

6. On or about November 7, 2015, the defendant ZANE SKYERS sent CC-1 a message containing a photograph of a receipt of a MoneyGram wire transfer with the defendant's name and address on it. Records obtained from MoneyGram reflect that on November 1, 2016, the defendant ZANE SKYERS sent CC-1 a payment of \$1,750 in connection with the purchase of CC-1's flight to Saint Lucia.

7. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application. I believe that

sealing these documents is necessary because, given the confidential nature of this investigation, disclosure would severely jeopardize the investigation in that it might alert the target of the investigation to the existence of an investigation and likely lead to the destruction and concealment of evidence, and/or flight.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant ZANE SKYERS, so that he may be dealt with according to law.

IT IS FURTHER REQUESTED that all papers submitted in support of this application, including this complaint and affidavit, be sealed until further order of the Court.

S/ Michelle Panella

MICHELLE PANELLA
Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me this
15th— day of April, 2016
S/ Steven Gold

THE HONORABLE STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK